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In re Application of :
Vorbach et al. : ON PETITION
Application No. 10/764,159 :
Filed: January 23, 2004 :
Attorney Docket No. 02885/77 :

This is a decision on the petition under 37 CFR 1.10(c), filed May 3, 2005, requesting that the above-identified application be accorded a filing date of January 23, 2004, rather than the presently accorded filing date of January 24, 2004.

Petitioner alleges that the application was deposited in Express Mail Post Office to Addressee on January 23, 2004. In support of the allegation, the petition is accompanied by a copy of Express Mail label No. EV332524594US, indicating a date-in of January 23, 2004. Additionally, the label contains a United States Postal Service stamp of January 23, 2004. The same Express Mail label number was placed on the original application papers located in the official file.

In view of the above, the petition is granted. No petition fee is necessary.

This matter will be referred to the Office of Initial Patent Examination to correct the filing date to January 23, 2004, and to mail a corrected filing receipt.

Telephone inquiries should be directed to the undersigned at (571) 272-3211.

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